Lawrence Starfield/R6/USEPA/US
08/20/2008 08:32 PM

To Pat Gaspar/R6/USEPA/US
cc
bcc
Subject Fw: AACM Peer Review

Pls print
----- Forwarded by Lawrence Starfield/R6/USEPA/US on 08/20/2008 08:32 PM -----

Richard Greene/R6/USEPA/US
Sent by: Richard1 Greene

08/20/2008 03:48 PM

To George Gray/DC/USEPA/US@EPA, Kevin Teichman/DC/USEPA/US@EPA
cc starfield.lawrence@epa.gov, Roger Wilmoth/CI/USEPA/US@EPA, Adele Cardenas/R6/USEPA/US@EPA
Subject AACM Peer Review

Gentlemen:

I am advised today that the Agency is moving forward with the peer review of AACM tests 2 & 3. Further, I am told, the make up of the peer review panel includes at least one member who has a biased opinion of the AACM, as abundantly revealed in his written documents and public statements, His objectivity is thus already severely compromised. His inclusion as a member of the panel could raise public doubt of the validity and genuineness of their work product.

Instructions to all members of the panel as they begin their work should emphasize the importance of impartial, fair, and objective scientific review of the reports developed by ORD of the information we have gathered in these two test projects. I would urge you to inform the peer review panel that any prejudiced judgement, speculation, or biased comments about the AACM, or any of its applications, regardless of their current commitment to the full meaning of "objectivity", are inappropriate and will be discounted by EPA in our review of their report.

If it is the intent of any member going into this assignment to derail the important AACM research, then that member should disqualify himself or herself from participation on the panel and use other avenues, such as public comment periods, to express those feelings.

I only need to cite the groundless speculation contained in the peer review report that was done on the first AACM test as an example of this process producing a useless result when the members do not remain faithful to their commitment of conducting an impartial, unbiased, and objective scientific analysis free from personal prejudice, political views, fear of adverse impacts on any direct or indirect economic interests they may have, or any other motivation not germane to their assignment.

Richard Greene
Regional Administrator
US EPA Region 6
1445 Ross Avenue
Dallas TX 75202-2733

214.665.2100 Voice
214.923-1961 Mobile

Ft W

(Wet Method Study)

Mark Hansen
05/27/2004 01:06 PM

To: Lawrence Starfield/R6/USEPA/US@EPA
cc:
Subject: Re: Follow up

We are reviewing the 1993 ORD report you sent. Tentatively, it seems to support the scientific validity of the Fort Worth method (particularly for buildings under 3 stories tall). David is attempting to get the original report to confirm that Charlottes conclusions are accurate and to more thoroughly evaluate the sampling and analysis methodology.

If I can be of assistance or answer any questions, please contact me at (214) 665-7548 or via email at hansen.mark@epa.gov.

Sincerely,

Mark Hansen
Chief
Toxics Enforcement Section (6EN-AT)

U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: (214) 665-7548
FAX: (214) 665-3177

Lawrence Starfield

Lawrence Starfield
05/27/2004 12:20 PM

To: Mark Hansen/R6/USEPA/US@EPA, Gerald Fontenot/R6/USEPA/US
cc:
Subject: Follow up

Follow up from the call this morning with Louise Wise:

1. I'll get her the charts of issues and Shirley is sending her the Stakeholder Involvement Plan.

2. She is sending the 1993 study of a wet demolition method; it will be circulated, and we need to know if it raises new issues.

3. She will send the comparison piece of St Louis vs. Ft Worth, and I need your help to "truth check" it, and get me consolidated comments.

4. We need to prepare a comparison piece between the NESHAP wet method, and the enhanced Fort Worth wet method.

5. I'd like to suggest to Ft W that they attach to their community bulletin the website document "Asbestos in your home" and the 1996 document "How to Manage Asbestos in School Buildings" with key language highlighted.

6. I'd like Ben to make sure that we have written responses to the negative comments on the Trial Lawyers' website. We need to build our record.

Did I miss anything?

Louise Wise
05/27/2004 11:04 AM

To: Lawrence Starfield/R6/USEPA/US@EPA
cc:
Subject: Summary "Asbestos Release During Building Demolition Activities"

Louise P. Wise
Principal Deputy Associate Administrator
Office of Policy, Economics, and Innovation; EPA
Room 3513 Ariel Rios North; mailcode 1804A
phone: 202-564-3715; fax: 202-501-1688
----- Forwarded by Louise Wise/DC/USEPA/US on 05/27/2004 12:04 PM -----

Charlotte Bertrand
05/26/2004 07:20 PM

To: Louise Wise/DC/USEPA/US@EPA
cc:
Subject: Summary "Asbestos Release During Building Demolition Activities"

1993ORDPaper_Summary.wp

Charlotte Bertrand
U.S. Environmental Protection Agency
Office of the Administrator
Office of Policy, Economics, and Innovation
1200 Pennsylvania Ave., NW
Mail Code 1804A
Washington, D.C. 20460
phone: (202) 564-8374
fax: (202) 566-0268

"Asbestos Release During Building Demolition Activities" EPA/600/J-93/194
Summary of Technical Report

In 1993, the EPA's Office of Research and Development published a technical report on asbestos released during 13 building demolitions. During the demolitions, asbestos monitoring was conducted to "evaluate if the demolition activities and their associated dust control practices were able to prevent downwind elevations of asbestos concentrations and to measure the worker exposure levels." Two buildings were demolished without the prior removal of asbestos containing materials, using wetting techniques to control emissions since the buildings were structurally unsound and access to the buildings was prohibited for safety reasons. For the other building demolitions, all identified friable asbestos had been removed in accordance with the EPA's asbestos NESHAP. The authors of this report, summarized the results of the study as follows: "While these sites can not be considered representative of all demolition activities, the sites where friable asbestos had been removed prior to demolition had no significant increase in the downwind asbestos concentration as a result of the demolition activity, except in the case of the implosion technique. The sites where no pre-removal was done *[demolition with wet method]* experienced several instances of brief, statistically significant elevations of downwind asbestos concentrations."

Wet Demolition Results. After the 1989 California earthquake, the EPA monitored the demolition of two buildings that were structurally unsound. Both buildings were two story brick buildings, asbestos content in the building could not be confirmed prior to demolition due to safety reasons. Emission control practices "consisted of spraying the demolition site with water from fire hoses while demolition bulldozers, end loaders, and trucks were operating." An analysis of the air monitoring results found statistically significant differences in asbestos concentration between upwind and downwind samples. Authors noted that asbestos levels may have detected the collapse of a three story building during the monitoring period. Monitoring was also conducted at the municipal dump receiving the demolition debris to determine worker exposure. "Analysis of the samples taken on the bulldozer operator revealed elevated levels." In addition, monitoring was conducted during the handling of the debris where "Instances of statistically significant elevation of airborne asbestos levels above background during the handling of debris despite the lack of visible emissions." "These data support the NESHAP premise that the absence of visible emission is not sufficient evidence to assume no fugitive particulate emission occurs."

Implosion Results. Monitoring was conducting during the implosion of a 26 story building from which all known asbestos had been removed in accordance with NESHAP. Elevated levels of asbestos were found between the upwind and downwind samplers. The authors concluded that "the forces involved in the collapse of a 26 story building provide sufficient energy to make non-friable asbestos containing materials friable."

Structurally Sound NESHAP Demolitions. Asbestos release was monitored during the demolition of eight two-story Army barracks in Texas. The buildings were demolished using a bulldozer and backhoe, no wetting was used. Air samplers were placed at varying heights and distances downwind of the demolition site. No statistical difference was found in upwind and

downwind samples. In Alaska, monitoring was conducted at the demolition of two school buildings. All friable asbestos had been removed in accordance with the asbestos NESHAP. During this demolition workers "made a marginal attempt to wet debris" with an "insufficient" volume of water to wet the materials -- there was light rain during the demolition of one of the two buildings. Sampling did not indicate a statistical difference in upwind and downwind concentrations.

Comparison of Fort Worth Method with NESHAP Imminent Danger of Collapse

Demolition Activity	NESHAP Imminent Danger of Collapse	Fort Worth Method
Notification	Notification with Imminent Danger of Collapse Certification. (Filed with NESHAP Delegated Authority)	Notification of Demolition to NESHAP Delegated Agency.
Public Involvement Plan	None	There is a Stakeholder Involvement Plan, public meetings, bulletins, and web site.
Removal of Regulated Asbestos Containing Material (RACM)	No removal, due to hazards to personnel entering structure.	Removal of RACM amounts above regulatory threshold, (including all Thermal System Insulation, Ceiling Tiles, Acoustic Spray-on Texturing, Spray-on Fire Proofing, etc.),prior to demolition.
Limits in size of structure	None	Limited to structures three stories in height (35 ft)
Removal of Vermiculite	None	**All** Vermiculite materials to be removed prior to demolition, regardless of amount.
Demolition Controls	Building demolished with Cat I, Cat II, exterior wetting to control visible emissions.	. Building deconstructed with Cat I and Cat II, wet methods, before, during and after demolition. .
Ambient Air Monitoring	None	Extensive during pilot; permanent amount of monitors to be reassessed after demo.
Soil Monitoring/ Cleanup	None	1 to 3" soil cleanup
Transportation of Demolition Waste	Wrecked building and all asbestos loaded into unlined, unsealed, uncovered truck.	Pre-demolition RACM handled and transported to asbestos landfill in compliance with NESHAP. Deconstructed building classified as asbestos waste, taken wet to asbestos landfill with liquid adsorbent booms in truck bed to control any water leakage and covers on trucks.

Collection & Disposal of Water Runoff	No?	Yes
Stop Work Authority if there are Visible Releases	None	Yes. EPA, the City, and TDH, each have authority to stop work.
Remediation Plan	None	Yes
Site Closure	No provision for cleanup of any remaining Cat I, Cat II, or RACM after wrecking.	Visual inspection and cleanup of site prior to closure to remove any remaining debris.

Table - 1 Comparison of the Asbestos NESHAP and the Fort Worth Method for Demolition of Substandard Structures

PROJECT COMPONENT	NESHAP (In Danger of Imminent Collapse) EPA United States Environmental Protection Agency	NESHAP (Not in Imminent Danger of Collapse) EPA United States Environmental Protection Agency	FORT WORTH METHOD (Not in Danger of Imminent Collapse) FORT WORTH
ASBESTOS ASSESSMENT	Not required.	Full AHERA Level Asbestos Assessment.	Full AHERA Level Asbestos Assessment.
DEMOLITION NOTIFICATION	Written notification as early as possible before, but not later then the following working day.	Written notification at least ten working days before work begins.	Written notification at least TWO working days before work begins.
REMOVAL OF RACM PRIOR TO DEMOLITION	RACM not removed prior to demolition.	Remove RACM under full containment if there is: 1. At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or 2. At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously. Adequately wet asbestos-containing waste material. After wetting, seal in leak-tight containers while wet. If materials will not fit into containers without additional breakage, put materials in leak-tight wrapping. Label containers or wrapped materials using OSHA compliant warning labels.	RACM not removed prior to demolition. *Note:* **SPRAY-ON FIREPROOFING AND LARGE QUANTITIES OF THERMAL SYSTEM INSULATION WILL BE ADDRESSED UNDER FULL CONTAINMENT CONDITIONS.**
EMISSIONS CONTROLS DURING DEMOLITION	Discharge no Visible Emissions from RACM or asbestos-containing waste material.	Discharge no Visible Emissions from RACM or asbestos-containing waste material.	Discharge no Visible Emissions from RACM or asbestos-containing waste material.
HANDLING PROCEDURES FOR DEMOLITION ASBESTOS-CONTAINING WASTE MATERIAL	Adequately wet the portion of the facility that contains RACM **during** the wrecking operation. Adequately wet asbestos-containing waste material at all times **after** demolition and keep wet during handling and loading for transport to a disposal site. Asbestos-containing waste materials do not have to be sealed in leak-tight containers or wrapping, but may be transported and disposed of in bulk.	Adequately wet asbestos-containing waste material at all **times after** demolition and keep wet during handling and loading for transport to a disposal site. Asbestos-containing waste materials demolished in place do not have to be sealed in leak-tight containers or wrapping, but may be transported and disposed of in bulk. *Note:* Does not apply to Category I Non-Friable ACM waste and Category II Non Friable ACM waste that did not become crumbled, pulverized, or reduced to powder.	Adequately wet **THE FACILITY** during the wrecking operation. Adequately wet **DEMOLITION DEBRIS** at all times **after** demolition and keep wet during handling and loading for transport to a disposal site. **WASTE MATERIALS TO BE DISPOSED IN BULK WITHIN TRAILERS COVERED WITH TARPS.**
TRANSPORTATION OF DEMOLITION ASBESTOS-CONTAINING WASTE MATERIAL	Mark vehicles used to transport asbestos containing waste material during the loading and unloading of waste so that signs are visible. Manifest RACM shipments.	Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that signs are visible. Manifest RACM shipments.	Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that signs are visible. Manifest RACM shipments.
DISPOSAL OF DEMOLITION ASBESTOS-CONTAINING WASTE MATERIAL	Deposit all asbestos-containing waste material as soon as practical at a waste disposal site approved for asbestos disposal, unless it is Category I Non-Friable ACM that is not RACM.	Deposit all asbestos containing waste material as soon as practical at a waste disposal site approved for asbestos disposal, unless it is Category I Non-Friable ACM that is not RACM.	Deposit all asbestos containing waste material as soon as practical at a waste disposal site approved for asbestos disposal, unless it is Category I Non-Friable ACM that is not RACM.
SITE SUPERVISION DURING DEMOLITION	At least one representative trained in the NESHAP shall be present on site.	At least one representative trained in the NESHAP shall be present on-site.	At least one representative trained in the NESHAP shall be present on-site.
RECORDS MAINTENANCE	Maintain waste disposal records for at least two years.	Maintain waste disposal records for at least two years.	Maintain waste disposal records for at least two years.
STORMWATER MANAGEMENT	Not specified.	Not specified.	**Comply with Chapter 12.5, Article III, "Storm Water Protection," Code of the City of Fort Worth. Use best management practices to control runoff as necessary.**
OUTDOOR AIR MONITORING	OSHA monitoring of workers.	OSHA monitoring of workers.	**AREA SAMPLING TO BE PERFORMED AT ALL FOUR CORNERS OF THE JOB SITE.** OSHA monitoring of workers.
WETTING PROCEDURES	Adequately wet.	Adequately wet.	**Utilize fire hose equipped with variable rate nozzle to allow for "misting".**

June 15, 2004

Mr. Thomas V. Skinner, Assistant Administrator – Acting (2201-A)
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue N.W.
Washington, DC 20460

Re: City of Fort Worth Project XL – Phase 2
Demolition of Cowtown Inn, 6855 E. Lancaster, Fort Worth, Texas
With Regulated Asbestos-Containing Materials In-Situ

Dear Mr. Skinner:

The City of Fort Worth hereby restates its request of January 20, 2004, for a grant of discretionary enforcement from the United States Environmental Protection Agency (EPA) in order to demolish urban structures in Phase 2, in Fort Worth, Texas, utilizing the "Fort Worth Method" of asbestos abatement in building demolition. After receiving the January 26, 2004, response to our request from your predecessor, Mr. J. P. Suarez, the City has revised the method documents several times, and they have been reviewed internally by the EPA and externally by peer reviewers. The City has also conducted extensive public outreach through a stakeholder process, including public meetings, direct mailings, and public education materials. The final documents were provided to EPA Region 6 on Monday, June 14, 2004.

Under the Fort Worth Method, some, but not all of the asbestos containing material is removed, prior to demolition, and emissions are controlled by adequately wetting the facility internally and externally prior to and during demolition. Additional safeguards are built in, as described within the method documents, and summarized in the enclosure showing a comparison of the "Fort Worth Method" with the Asbestos NESHAP requirements for traditional demolition and for demolition of buildings in danger of imminent collapse.

The goal of this pilot project is to determine whether the use of this method is at least as protective of human health as the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), which requires the Asbestos to be removed prior to demolition. The NESHAP authorizes alternative demolition methods as long as they are at least as protective of human health as the NESHAP method. The first facility proposed to be demolished under Phase 2 is the Cowtown Inn located at 6855 E. Lancaster, Fort Worth, Texas. The Cowtown Inn is an abandoned motel in the east Fort Worth neighborhood of Handley. Built in 1964, it consists of nine buildings totaling 65,692 square feet on approximately four acres. The motel has been abandoned for approximately 15 years, and has been subjected to extreme degradation through

weather, neglect, and vandalism The presence of this dilapidated facility remains a constant threat to the health and safety of the neighborhood, and a source of fear for residents and students who want it demolished as soon as possible. Unfortunately the City has not been able to accommodate their wishes because asbestos removal from the facility, estimated at over $1 million dollars, has proven to be cost prohibitive.

It is therefore in the best interest of the public that Fort Worth be allowed to utilize the "Fort Worth Method" to demolish the Cowtown Inn, pursuant to an EPA-approved QAPP. It is on this basis that Fort Worth requests an assurance of no action from the EPA.

We appreciate your attention to this matter, and hope for a swift resolution of our request.

Yours very truly,

Gary Jackson
City Manager

Enclosure (1)

cc Mike Moncrief, Mayor
Becky L. Haskin, City Council District 4
Franklin D. Moss, City Council District 5
Charles Boswell, Assistant City Manager
Brian Boerner, Director, Environmental Management
Carl Smart, Director, Code Compliance
Kathryn A. Hansen, Regulatory & Environmental Coordinator, Environmental Management

Table - 4 Comparison of the Asbestos NESHAP and the Phase 2 Demolition Under the Fort Worth Method for Demolition of Substandard Structures (*REVISED June 12, 2004*)

PROJECT COMPONENT	Asbestos NESHAP (In Danger of Imminent Collapse) EPA United States Environmental Protection Agency	Asbestos NESHAP (Traditional) EPA United States Environmental Protection Agency	FORT WORTH METHOD Phase 2 Demolitions FORT WORTH
DECLARATION OF SUBSTANDARD	Not required. *Note:* 40 CFR 61.145 (a)(3) demolished under an order of state or local government agency issued because the building is structurally unsound and in danger of imminent collapse. 25 TAC 295.32(79)(F) ...has been determined to be structurally unsound and in danger of imminent collapse by a professional engineer, registered architect, or a city, county or state government official. 25 TAC 295.61(i) states the judgment that a structure is in danger of imminent collapse or that it is unsafe for anyone to enter shall be made by a professional engineer, registered architect, or government official.	Not Required.	The City of Fort Worth Minimum Building Standards Code ("MBSC") sets forth minimum standards for continued use and occupancy of all buildings. If a building is found not to comply with the MBSC then: 1. an administrative hearing before the Fort Worth Building Standards Commission, pursuant to Chapter 7, Article VI, of the Fort Worth City Code, to order the owner to bring the structure into compliance with the MBSC or demolish it; or 2. a civil suit, pursuant to Texas Local Government Code Chapter 54, subchapter B, for a mandatory injunction to compel the structure's demolition or repair. Then if the owner fails to bring the structure into compliance with the MBSC or to demolish it, despite an administrative order or mandatory injunction, the City itself may demolish it.
BUILDING SIZE	No limitation.	No limitation	Method limited to buildings no more than three stories, maximum of 35 feet tall.
ASBESTOS ASSESSMENT	Not required.	Full AHERA Level Asbestos Assessment.	~~Full AHERA~~ Level Asbestos Assessment in accordance with Texas Asbestos Health Protection Rules (TAHPR). Utilize PLM method for asbestos identification and quantification within building materials.

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
SITE CHARACTERIZATION	Not required.	Not required.	Determine site environmental conditions through review of historical aerial photographs, historical topographic maps, historical Sanborn Fire Insurance Maps, historical city directories, interviews with neighboring property owners and former employees, regulatory database search for sites that have the potential to environmentally impact the site and the surrounding neighborhood, etc. Assess surrounding neighborhood for sensitive populations, existing hazards, unique exposure pathways, multiple and cumulative impacts, community demographics and vulnerability. Use risk-based approach that takes into account surrounding building uses and characteristics as well as occupancy during actual demolition. EPA and TDH concurrence necessary on site or sites chosen.
PUBLIC PARTICIPATION	Not required.	Not required.	Public participation required: • Stakeholder involvement plan • Information bulletins • Public meetings • Solicitation of feedback • Public access website • Etc.
DEMOLITION NOTIFICATION	Written notification as early as possible before, but not later than the following working day.	Written notification at least ten working days before work begins.	Written notification at least ten working days before work begins.
REMOVAL OF RACM PRIOR TO DEMOLITION	RACM not removed prior to demolition.	Remove RACM under full containment if there is: 1. At least 80 linear meters (260 linear feet) on pipes or at least 15 square	Remove RACM under full containment if there is: 1. Spray-on fireproofing in quantities greater than 160 SF or 35 CF (off

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
		meters (160 square feet) on other facility components; or 2. At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously. Adequately wet asbestos-containing waste material. After wetting, seal in leak-tight containers while wet. If materials will not fit into containers without additional breakage, put materials in leak-tight wrapping. Label containers or wrapped materials using OSHA compliant warning labels.	facility components where the length or area could not be measured previously); 2. Thermal System Insulation (TSI) in quantities greater than 260 LF on pipes, 160 SF on other facility components or 35 CF off facility components where it could not be measured previously; 3. Transite® material in quantities greater than 20% coverage for every 1 LF of building exterior; 4. Friable or Category II Non-Friable material that contains asbestos (greater than 1% as determined by Polarized Light Microscopy) other than chrysotile and that is non-porous in nature; or 5. Vermiculite Attic Insulation (VAI). Adequately wet asbestos-containing waste material. After wetting, seal in leak-tight containers while wet. If materials will not fit into containers without additional breakage, put materials in leak-tight wrapping. Label containers or wrapped materials using OSHA compliant warning labels.
WASTE REMOVAL PRIOR TO DEMOLITION	Not required.	Not required.	Survey site to determine presence of hazardous wastes, industrial wastes, lighting, and other materials that should be removed before demolition. Includes fluorescent light ballasts &light tubes, high intensity discharge (HID) lamps, cleaning & maintenance products, and air conditioning system coolant.

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
STOP WORK AUTHORITY	Not required.	Not required.	Demolition contractor's OSHA competent person, as well as OSHA personnel, have authority to stop work for unsafe work practices. Demolition contractor's NESHAP trained individual, and designated Fort Worth, asbestos consultant, EPA and TDH personnel have authority to stop work for inadequate wetting, interruption of water supply, visible emissions, and observed violations of method documents. Designated Fort Worth, asbestos consultant, EPA and TDH personnel shall have the authority to issue a go/no go or a stop work order for specified meteorological conditions.
EMISSIONS CONTROLS DURING DEMOLITION	Discharge no Visible Emissions from RACM or asbestos-containing waste material. No stop work authority specified.	Discharge no Visible Emissions from RACM or asbestos-containing waste material. No stop work authority specified.	Discharge no Visible Emissions from RACM or asbestos-containing waste material. Demolition contractor's NESHAP trained individual, and designated Fort Worth, asbestos consultant, EPA and TDH personnel have authority to stop work for visible emissions. Visible emissions from demolition and associated response actions grouped into following categories: • Momentary release (e.g., puff) that is controlled by the water stream in an immediate fashion will not require additional engineering controls. • Small sustained release (e.g., small dust cloud) that either dissipates through dispersion into the air column or through additional use of the wetting hoses will require a temporary halt in demolition operations while the working edge of demolition is wetted

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
			for approximately 1 minute. • Medium sustained release (e.g., small dust cloud that drifts) that is transported away from the working edge of demolition but dissipates prior to leaving the footprint of the demolition area will require a temporary halt in demolition operations while the while the working edge of the demolition is wetted for approximately 5 minutes. • Large sustained release (e.g., dust cloud that drifts) that is transported away from the working edge of the demolition but dissipates prior to leaving the property boundary will require a temporary halt in demolition while the working edge of the demolition is wetted for approximately 15 minutes. *If more than one large sustained release is observed during the demolition operation then a surfactant will be introduced to the wetting water stream.* • Uncontrolled release (e.g., dust cloud leaves site) that is transported off the facility boundary and onto surrounding properties. Demolition operations will cease immediately. Wetting of the demolition debris will continue to ensure all exposed areas are adequately wetted. Response actions will be initiated following TEM analysis of air samples. Visibly impacted areas may be cleaned with a HEPA vacuum if possible.
SITE SUPERVISION DURING DEMOLITION	At least one representative trained in the NESHAP shall be present on-site.	At least one representative trained in the NESHAP shall be present on-site.	At least one representative trained in the NESHAP shall be present on-site.

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
WETTING PROCEDURES	Adequately wet the portion of the facility that contains RACM during demolition.	Adequately wet.	Adequately wet THE FACILITY prior to demolition by introducing water from within habitable spaces and from the attic / ceiling plenum area. Allow the structure to be wetted both from the inside out and the outside in. Adequately wet THE FACILITY during demolition. Utilize a minimum of two (2) fire hoses equipped with variable rate nozzle to allow for "misting". Water to be applied from different directions/ angles to allow more effective wetting of exposed material.
DEMOLITION PROCEDURES	Not specified.	Not specified.	Demolish one building at a time & no more than 8,000 square feet of building footprint at a time. Demolition by heavy equipment only. Buildings to be deconstructed and leveled on top of their foundations (if present). Slab will act as barrier to underlying soils. After demolition of buildings, booms will be placed around slab foundations which will then be rinsed. Rinsate will be captured and properly disposed of. Slab foundations will then be removed. No direct impact of demolition debris by heavy equipment tracks for waste consolidation.

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
STORMWATER MANAGEMENT	Not specified.	Not specified.	Comply with TPDES and Chapter 12.5, Article III, "Storm Water Protection," Code of the City of Fort Worth. Use best management practices to control runoff, including containment and filtration of water.
WORKER PROTECTION	Not specified.	Not specified.	Follow OSHA regulations. OSHA competent person on site. Demolition contractors provide City with copies of corporate health & safety program and site-specific health & safety plans. Contractor personnel 40-hour HAZWOPER certified. Daily safety meetings.
SITE SECURITY	Not required.	Not required.	Entrance(s) to and perimeter of each site clearly marked with signage stating: DANGER ASBESTOS CANCER AND LUNG DISEASE HAZARD AUTHORIZED PERSONNEL ONLY Work zone (hot zone) established inside site perimeter and marked in accordance with OSHA regulations found at 29 CFR 1926. Review each demolition site for appropriate restrictions on vehicle access to abutting streets and on-street parking restrictions during work hours. Demolition contractor to provide flagmen as needed and have appropriate signage and barricades. Sampling equipment not used for overnight sampling taken down at the end of the final sample period for the day and transported off site for storage. Heavy equipment left at the site within

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
			the fence. After work hours, the site will be secured with a chain across the entrance and existing fence. Entrance will be barricaded with blinking lighting. After work hours, on-site security will be provided.
OUTDOOR MONITORING DURING DEMOLITION	OSHA monitoring of workers.	OSHA monitoring of workers as necessary.	OSHA monitoring of workers. QAPP outlines samples to be collected including ambient outdoor background air samples, upwind and downwind outdoor air samples during demolition and waste disposal, applied water samples, contained runoff water (if produced) samples, soil samples and moisture content samples of demolition debris. Additionally, the site specific Remediation Plan for the Phase 2 Demolitions outlines additional samples for protection of the general public including real time PCM samples and dust samples. Nighttime air monitoring provided for.
HANDLING PROCEDURES FOR DEMOLITION ASBESTOS-CONTAINING WASTE MATERIAL	Adequately wet the portion of the facility that contains RACM **during** the wrecking operation. Adequately wet asbestos-containing waste material at all times **after** demolition and keep wet during handling and loading for transport to a disposal site. Asbestos-containing waste materials do not have to be sealed in leak-tight containers or wrapping, but may be transported and disposed of in bulk.	Adequately wet asbestos-containing waste material at all times **after** demolition and keep wet during handling and loading for transport to a disposal site. Asbestos-containing waste materials demolished in place do not have to be sealed in leak-tight containers or wrapping, but may be transported and disposed of in bulk. *Note:* Does not apply to Category I Non-Friable ACM waste and Category II Non-Friable ACM waste that did not become crumbled, pulverized, or reduced to powder.	Adequately wet **THE FACILITY** prior to demolition by introducing water from within habitable spaces and from the attic / ceiling plenum area. Allow the structure to be wetted both from the inside out and the outside in. Adequately wet the facility **during** the wrecking operation with a minimum of two (2) hoses equipped with variable rate nozzles from different directions / angles. Adequately wet **DEMOLITION DEBRIS** at all times **after** demolition and keep wet during handling and loading for transport to a disposal site. Place in trailers with dump end sealed; cover with tarp; transport and dispose of in bulk.

	Asbestos NESHAP (In Danger of Imminent Collapse)	Asbestos NESHAP (Traditional)	FORT WORTH METHOD Phase 2 Demolitions
			No demolition debris to be left on ground overnight.
TRANSPORTATION OF DEMOLITION ASBESTOS-CONTAINING WASTE MATERIAL	Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that signs are visible. Complete waste shipment records.	Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that signs are visible. Complete waste shipment records. + Form 4 shipper	Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that signs are visible. Complete waste shipment records. Waste transporters will be licensed in accordance with the Texas Asbestos Health Protection Rules (25 TAC 295.56) Transport immediately via a direct route using hazardous cargo routes where possible.
DISPOSAL OF DEMOLITION ASBESTOS-CONTAINING WASTE MATERIAL	Deposit all asbestos-containing waste material as soon as practical at a waste disposal site approved for asbestos disposal, unless it is Category I Non-Friable ACM that is not RACM.	Deposit all asbestos-containing waste material as soon as practical at a waste disposal site approved for asbestos disposal, unless it is Category I Non-Friable ACM that is not RACM.	Deposit all asbestos-containing waste material as soon as practical at an approved landfill.
RECORDS MAINTENANCE	Maintain waste disposal records for at least two years.	Maintain waste disposal records for at least two years.	Maintain waste disposal records for at least thirty years in accordance with TAHPR.
CLEAN-UP PLAN	Not required.	Not required.	Clean-up plan prepared before demolition. Clean-up plan put into action in the event of significant release to environment.
SITE CLOSURE	Not required.	Not required.	Site graded and stabilized. Remove potentially impacted soils and dispose of along with the demolition debris. Inspection by building inspector to ensure removal of slab foundation, site grading, site is clean, and site is free of structural hazards. Remove any remaining demolition debris and dispose of as asbestos containing waste material. Decontaminate heavy equipment.

Table 4

FORT WORTH

January 20, 2004

Mr. John P. Suarez, Assistant Administrator
Office of Enforcement and Compliance Assurance
Environmental Protection Agency
Ariel Rios Building, Room 3204
1200 Pennsylvania Avenue N.W.
Washington, DC 20004

Re: City of Fort Worth Project XL – Phase 2
Demolition of Cowtown Inn, 6855 E. Lancaster, Fort Worth, Texas
With Regulated Asbestos-Containing Materials In-Situ

Dear Mr. Suarez:

The City of Fort Worth hereby makes this request for a grant of discretionary enforcement from the United States Environmental Protection Agency (EPA) in order to demolish urban structures in Phase II, in Fort Worth, Texas, utilizing the "Fort Worth Method" of asbestos abatement in building demolition. Under the Fort Worth Method, the structure is thoroughly wetted prior to and during demolition and some, but not all of the asbestos containing material is removed.

The goal of this pilot project is to determine whether the use of this method is at least as protective of human health as the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP), which requires the Asbestos to be removed prior to demolition. The NESHAP authorizes alternative demolition methods as long as they are at least as protective of human health as the NESHAP method.

The first phase of this pilot project provided initial data sufficient to warrant further investigation into the Method. The next phase, demolition of two nearly identical facilities subject to the requirements of the NESHAP, is intended to gather further information regarding the Method's equivalency to the NESHAP. However, to acquire data to support or reject a finding of equivalency, demolition of a structure to which the NESHAPS is applicable is necessary. The first facility to be demolished is the Cowtown Inn located at 6855 E. Lancaster, Fort Worth, Texas. It was chosen, because it is the only structure that the City presently has in its control that would allow for the two demolitions necessary for the side-by-side test. The location of the second facility is to be determined in conjunction with EPA. Should test results at the Cowtown Inn indicate that the Fort Worth method is not protective, plans for further demolitions will be discontinued.

CITY MANAGER'S OFFICE
THE CITY OF FORT WORTH ★ 1000 THROCKMORTON STREET ★ FORT WORTH, TEXAS 76102
817-871-6111 ★ FAX 817-871-6134

Background

In March 1999, the City of Fort Worth Department of Environmental Management filed an application with the EPA for regulatory flexibility under Project XL. The City of Fort Worth's XL project is entitled "Asbestos Management in the Demolition of Substandard Structures as a Nuisance Abatement." The project proposes an alternative demolition method for substandard structures, called "The Fort Worth Method." As defined, the Fort Worth Method would allow only municipalities the opportunity to demolish substandard structures that are either not owned by the municipality or that have been assigned to the municipality through property tax foreclosure. These structures have been ordered, through administrative or judicial processes, to be brought up to code or demolished. Although substandard, they are not yet in danger of imminent collapse but will likely degrade to that point by the time the municipality has the money to perform the asbestos abatement and demolition.

The Fort Worth Method, simply stated, applies the EPA regulation found at 40 CFR §61.145 (a)(3)[1] to a structure:

(1) that has been declared to be substandard by a local governmental agency (in Fort Worth this is done through an administrative process via the Building Standards Commission, or through a judicial process),
(2) that is not yet in danger of imminent collapse, and
(3) that will be demolished by the local governmental agency as a nuisance.

However, under the Fort Worth Method, if more than 260 linear feet of thermal system insulation (TSI) or more than 160 square feet of spray-on fireproofing (SOF) is encountered during assessment, it will be removed in accordance with state and federal law prior to demolition. Structures suitable for this demolition method range from one to three stories. Demolitions are to be performed by heavy equipment only. No explosives are to be used to explode or implode structures, and burning is not to be utilized to demolish structures.

Phase 1 Demolition

After the City filed its project proposal, it worked with the EPA and the Texas Department of Health (TDH) for over a year to develop a phased approach to the project. It was determined that Phase 1 would involve the demolition of a facility that contained RACM,

[1] This provision regulates the demolition of a facility being demolished under an order of a state or local governmental agency because it is structurally unsound and in danger of imminent collapse. RACM is left in place during demolition.

but that was either exempt from or not subject to the Asbestos NESHAP[2] or TDH regulations. In August 2000, a Quality Assurance Project Plan (QAPP) was completed and approved, and in September an agreement was reached among EPA, TDH, and the City. The City received approval to move forward with the Phase 1 demolition to provide a demonstration of the Fort Worth Method and provide emissions monitoring data to be used by EPA in determining whether the Fort Worth Method can be considered equivalent to the Asbestos NESHAP for the purpose of performing two additional demolitions under the second phase of the project.

After several months of searching, a building that met the approval of the agencies was found, public notice was issued, and a public meeting was held. The demolition took place in April 2001. The building selected for the Phase 1 demolition was chosen based on its size, substandard status, and type and quantity of asbestos-containing materials. A 1,126 square foot residential duplex, it contained the following RACM:

- 2,618 square feet of wall texture/joint compound - 2% Chrysotile
- 820 square feet of ceiling texture - 2% Chrysotile
- 265 square feet of linoleum flooring - 55% Chrysotile

Meteorological data was collected during demolition and landfill operations, with primary focus on wind speed and direction. Air sample locations were chosen in reference to wind direction on the day of the sampling. The air samples were analyzed using ISO Method 10312:1995 – Ambient Air – Determination of Asbestos Fibers – Direct-Transfer Transmission Electron Microscopy Method. Under this method the samples are reviewed under low magnification (10X) and under high magnification (20X). One downwind sample from the demolition site (day one) contained one Amosite structure and thus under low magnification contained 0.00010 structures per cubic centimeter (str/cc) and under high magnification contained 0.00050 str/cc. All other samples from the demolition site were below laboratory detection limit including the blanks. One downwind sample from the landfill site (day two) contained one Tremolite structure and thus under low magnification contained less than 0.00010 str/cc and under high magnification contained 0.00049 str/cc. All other samples from the landfill site were below laboratory detection limit including the blanks. (It should be noted that neither Tremolite nor Amosite were identified in the house during the asbestos assessment.) This information was provided by the City to the EPA in a report dated October 17, 2001, and an addendum report dated April 9, 2002. Because airborne concentrations of asbestos upwind at the demolition site were not significantly different than those concentrations downwind, the objectives of the Phase 1 demolition were clearly met.

[2] A residential structure containing four or fewer dwelling units, or a facility in danger of imminent collapse.

Phase 2 Demolition

The City now hopes to move into Phase 2, in which it will conduct demolition activities at two separate facilities. At each facility, the City will demolish two similar structures. One building will be demolished in accordance with the Asbestos NESHAP, and the second building will be demolished using the Fort Worth Method. Air monitoring and other sampling during both demolitions will allow a true comparison of the two methods. The first site targeted for this phase of the project is the Cowtown Inn. Before the demolitions can occur, the QAPP must be revised, and go through peer review as set out in the EPA Peer Review Policy. The document setting out a description of the Fort Worth Method is being amended based on comments from EPA and will also be included in the peer review. As a result of recommendations from EPA, a remediation plan is also being developed for the project. Stakeholder meetings must also be held to provide the community and other interested parties an opportunity to comment. Last, after the peer review and stakeholders meetings, if amendments to the documents are requested, they will be considered in conjunction with EPA and TDH.

As was discussed at the September 29, 2003, meeting in Washington, D.C. between EPA and City of Fort Worth officials, a means to expedite the approval process for the Phase 2 demolitions, would be to step outside of Project XL, and for the EPA to provide the City with an assurance that the agency will exercise its discretionary enforcement authority and take no enforcement action for violations of the asbestos NESHAP. It would still be necessary for the City to gain approval from TDH once the EPA had provided this assurance. Therefore it will be imperative for the EPA to provide notice to TDH that an assurance of no action under discretionary enforcement has been granted to Fort Worth.

Following the completion of the Phase 2 demolitions, the City will review analyses of the samples submitted to the laboratory, and will provide a report to the EPA and TDH on its findings. This will be done for each facility demolished under Phase II as the data becomes available. The emissions data from the Phase 2 demolitions will provide a basis for EPA to determine whether the Fort Worth Method is equivalent to the Asbestos NESHAP for the purpose of demolishing additional substandard structures utilizing the Fort Worth Method.

Public Interest

The Cowtown Inn is an abandoned motel in the east Fort Worth neighborhood of Handley. Built in the early 1960s, it consists of nine buildings totaling 65,692 square feet on approximately four acres. The motel has been abandoned for approximately 15 years, and has been subjected to extreme degradation through weather, neglect, and vandalism. Although it fronts on E. Lancaster (old U.S. Highway 80), its other three sides are adjacent

to modest, well-kept homes and a church with a private school. Since taking control of the property in January 2001 through property tax foreclosure[3], the City has drained and filled in the pool to prevent mosquito breeding, has boarded up doors and windows and erected a chain link fence to deter vandals and vagrants, and has kept the property mowed to prevent high grass and weeds. However, the presence of this dilapidated facility remains a constant threat to the health and safety of the neighborhood, and a source of fear for residents and students who want it demolished as soon as possible. Unfortunately the City has not been able to accommodate their wishes because asbestos removal from the facility, estimated at over $1 million dollars, has proven to be cost prohibitive. It is, therefore, in the best interest of the public that Fort Worth be allowed to utilize the "Fort Worth Method" to demolish the Cowtown Inn, pursuant to an EPA-approved QAPP. It is on this basis that Fort Worth requests an assurance of no action from the EPA. The second site for Phase 2 has not been chosen. Information on this site will be given to EPA well in advance of demolition activities.

We appreciate your attention to this matter, and hope for a swift resolution of our request.

Yours very truly,

Gary W. Jackson
City Manager

cc Mike Moncrief, Mayor
Becky L. Haskin, City Council District 4
Franklin D. Moss, City Council District 5
Libby Watson, Assistant City Manager
Brian Boerner, Director, Environmental Management
Carl Smart, Director, Code Compliance
Kathryn A. Hansen, Regulatory & Environmental Coordinator, Environmental Management

[3] Fort Worth holds the property in trust for the other taxing entities: Tarrant County, Tarrant County Hospital District, Tarrant County College District, Fort Worth Independent School District, and the Tarrant Regional Water District.

Asbestos - book

Lawrence Starfield/R6/USEPA/US @EPA

07/13/2005 09:49 PM

To: Connie Sanchez/R6/USEPA/US@EPA
cc:
Subject: Fw: Book title

Pls print

Sent from my BlackBerry Wireless Handheld

From: William Rice
Sent: 07/13/2005 09:21 PM
To: Tom Voltaggio; Lawrence Starfield
Subject: Book title

Book about Libby Montana:
An Air That Kills by andrew schneider and david mccumbers.

From:
Bill Rice, EPA Region 7,
(RICE.WILLIAM@epa./gov)

Sent from BlackBerry

Arlington XML

Posted on Thu, May. 12, 2005

Apartments demolished

By Mark Agee
Star-Telegram Staff Writer

ARLINGTON - Cheers went up from a crowd of neighbors and City Council members as a Caterpillar loader crashed into the west side of 617 Brent Drive.

"I wish I was driving that bulldozer," community activist Frances Gregory said.

The demolition in west Arlington on Wednesday morning marked the end of High Oak Terrace, an apartment complex that had fallen into disrepair and that city officials say was drawing crime.

Arlington bought the 12-acre property with $2.6 million from Community Development Block Grants. The property's use will change from apartments to single-family homes.

"It's a milestone," Mayor Pro Tem Ron Wright told a crowd of about 30. "We're beginning the process of redeveloping older parts of the city. We hope to see a lot more of this in the years ahead."

Councilwoman Kathryn Wilemon, whose District 4 includes the neighborhood, said the redevelopment is the start of a "new Arlington."

Wilemon and Councilwoman Lana Wolff began the destruction with sledgehammers. Wilemon gave hers to Gregory as a souvenir.

"I can't smile enough," Wilemon said. "They asked me to say a few words, but all I can say is,

Demolition Costs:

Teardown/haul-off - $200,000

Asbestos Removal - 500,000

Total: $700,000

Q2: IMPORTANT / NOT URGENT

FORT WORTH

RA
DRA
EN
RC
XA

10/27/04

October 25, 2004

Mr. Richard Greene
Regional Administrator, Region VI
U.S. Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

Fax: 214-665-6648

Dear Richard:

Thank you for your recent interest in and help with "Fort Worth Method." As you probably know, the EPA has decided to perform the Phase II and Phase III tests itself and, therefore, the Cowtown Inn will not be used as a test site for this project. It is our understanding that this testing is anticipated to take several years. The City remains committed to working with the EPA to further this project and taking it to full implementation.

In reviewing where the EPA is in testing the Fort Worth Method and the negative impact that the Cowtown Inn presents for the eastside of the city, Fort Worth will work to remove this structure using the traditional method. Within the past two weeks, the City of Fort Worth has identified funding to remove this eyesore and we hope to have abatement and demolition starting early in 2005. We will keep you updated on the status of this project.

Once again, thank you for your leadership and commitment. I look forward to our continued relationship and working together to continue our standard of environmental excellence.

Sincerely,

Mike Moncrief
Mayor

/mym

Richard you are a good friend and I appreciate you.

cc: Brian K. Boerner, Director, Environmental Management Department, City of Fort Worth

MIKE MONCRIEF, MAYOR
THE CITY OF FORT WORTH * 1000 THROCKMORTON STREET * FORT WORTH, TEXAS 76102
817-392-6118 * FAX 817-392-2409

Mark Hansen

09/30/2004 02:16 PM

To: Lawrence Starfield/R6/USEPA/US@EPA
cc: Gerald Fontenot/R6/USEPA/US@EPA, David Eppler/R6/USEPA/US@EPA
Subject: Fort Worth has Identified Funds to Demolish the Cowtown Inn using the traditional NESHAP Method

Larry - I just received a call from Kathryn Hansen with the City of Fort Worth Environmental Program regarding the Cowtown Inn. She stated that they had identified funds to demolish the Cowtown Inn using the traditional NESHAP method and plan to go to their City Council next week to get approval to proceed.

I updated her on our pursuit of an alternate location of the demolition and asked that they let us know if a prospective facility comes into their inventory.

If I can be of assistance or answer any questions, please contact me at (214) 665-7548 or via email at hansen.mark@epa.gov.

Sincerely,

Mark Hansen
Acting Chief
Air/Toxics and Inspection Coordination Branch(6EN-A)

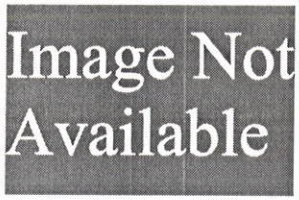
U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: (214) 665-7548
FAX: (214) 665-3177

Ft W- Media

"Fort Worth Method"

Environmental Management Department

1.



"Fort Worth Method" Media Clarifications

May 27, 2004

There has been a flurry of media reports regarding the Cowtown Inn demolition in the past few days. Some of the information printed has not been correct, and clarifications are provided below. I will post more clarifications as time permits.

It is important to keep in mind when reading these articles, that the "Fort Worth Method" documents have undergone a tremendous evolution since December:

The Inspector General's December 19, 2003, report on the "Fort Worth Method" was based upon the City's September 23, 2003, revision.

The comments prepared by the EPA's Asbestos Coordination Team are based upon the City's February 21, 2004, revision of the documents, in which we sought to address the concerns and questions raised by the Inspector General.

The external peer reviewer comments are based upon the City's April 1, 2004, revision of the documents, in which we sought to address the concerns and questions raised by the Asbestos Coordination Team.

The final documents are due to EPA Region 6 by June 11th. Those documents will address concerns and questions raised by the external peer reviewers.

Also, you may have read newspaper reports that certain organizations obtained internal EPA documents and "leaked" them to the press. We have provided the community with access to most of those documents for quite awhile. On March 31 the Department of Environmental Management put a hyperlink on the "Fort Worth Method" Documents page to the EPA web page containing the Inspector General's December 2003 report. We received the external peer reviewer's comments on May 3, and put them on our web site on May 7 for everyone to look at. There is also a printed version of these documents (and others) available for public review at the Meadowbrook Branch Library located at 5651 E. Lancaster, Fort Worth, Texas. We have been striving to have a transparent process, so that the community is fully informed about this project. "Fort Worth Method" documents are available online at: www.fortworthgov.org/dem/project_xl_docs.htm

If you have a question about anything you have read in the newspaper or about the Cowtown Inn demolition, feel free to contact the Department of Environmental Management. You may also use the Online Feedback Form.

Kathryn Hansen
Project Manager for the "Fort Worth Method"
817-392-8136

Kathryn.Hansen@fortworthgov.org

In its May 25, 2004, press release, "EPA and Fort Worth Colluding to Expose City Residents to Asbestos, According to Leaked EPA Documents," the Natural Resources Defense Council condemned the "Fort Worth Method."

RESPONSE: In 1999, the City of Fort Worth invited the Natural Resources Defense Council (NRDC) and other potential stakeholders to become involved in the "Fort Worth Method" proposal and provide comments to us and to the EPA. The NRDC chose not to become involved. Their press release five years later is the first time they have chosen to comment on the project.

Letter to Mr. Joel Reynolds, NRDC, October 29, 1999 (pdf 5 kb)

Dallas Morning News, "A test for asbestos removal," May 10, 2004

Brent Kynoch, managing director of the Environmental Information Association, is quoted as saying he is critical of the "promise to remove the asbestos-tainted debris from the wreckage afterward, and that he fears asbestos-tainted rubble could be disposed of improperly."

RESPONSE: The "Fort Worth Method" has never called for asbestos-tainted debris to be segregated from the demolition debris. All demolition debris will be disposed of as asbestos-containing waste material. In some instances, it may be possible to demolish a portion of a building that does not contain regulated asbestos-containing materials (RACM) separately from the portion that does, without disturbing that RACM. In those instances, the unaffected portion of the building would be demolished, and that debris disposed of as construction debris. Then the portion containing RACM would be demolished, and that debris disposed of as asbestos-containing waste material. This procedure is not proposed for use at the Cowtown Inn. For details, see Section 4.3.2.4, Handling of Demolition Debris, of the "Fort Worth Method for Phase 2 Demolitions," April 1, 2004, revision.
www.fortworthgov.org/dem/FWMPhase2/FWM_draft04012004.pdf

Fort Worth Star-Telegram, "Cities await EPA rule on demolition," May 23, 2004

Richard Leman, retired deputy director of the National Institute for Occupational Safety and Health is quoted as saying "I'm outraged. This could be human experimentation. I've seen nothing about protecting workers...or anyone else...They're trying to pull it off without adequte testing."

RESPONSE: We want to reiterate that the "Fort Worth Method" is NOT a new method for demolition. It is a new application of an old method. Buildings that are in danger of imminent collapse and that contain regulated asbestos containing materials are demolished with the asbestos left in place, as provided by the Asbestos NESHAP (40 CFR Part 61, Subpart M - National Emission Standard for Asbestos). This has been done for many, many years. The City of Fort Worth is seeking to apply this method to substandard and abandoned nuisance buildings that have not yet reached the point of imminent collapse.

However, the "Fort Worth Method" is more protective than the Asbestos NESHAP regulations for buildings in danger of imminent collapse in many ways. For example:

it calls for the prior removal of certain types of asbestos-containing materials, including:

thermal system insulation

spray-on fire proofing

Friable or Category II Non-Friable material that contains asbestos other than chrysotile and that is non-porous in nature

it calls for prior removal of any vermiculite attic insulation - which is not required by the Asbestos NESHAP for buildings in danger of imminent collapse or otherwise

it provides for engineering controls such as air, water and soil monitoring - none of which are required by the Asbestos NESHAP

it provides for public participation - which is not required by the Asbestos NESHAP; and

it is limited to structures that do not exceed three stories (maximum of 35 feet in height) - which is not a requirement of the Asbestos NESHAP

See Sections 1.1.2, "Buildings to Which the Fort Worth Method Applies" and 2.4, "Asbestos Assessment," of the "Fort Worth Method for Phase 2 Demolitions," April 1, 2004, revision.
www.fortworthgov.org/dem/FWMPhase2/FWM_draft04012004.pdf

The EPA Office of General Counsel has issued a formal memorandum that categorically states that the provisions of 40 CFR Part 26 regarding human testing are not applicable to this demonstration project. The "Fort Worth Method" has significant provisions for worker safety as outlined below in the response to comments by David Goldsmith. The Remediation Plan contains provisions for monitoring the neighborhood, which will be enhanced in the final version of the document. See the Remediation Plan, April 1, 2004, revision for details:
www.fortworthgov.org/dem/FWMPhase2/RP_draft04012004.pdf

Fort Worth Star-Telegram, "Demolition of inn raises experts' fear," May 25, 2004

David Goldsmith, an associate research professor with the department of environmental and occupational health at George Washington University is quoted as saying that the asbestos in the Phase 1 demolition at 2615 Ennis is different from the asbestos at the Cowtown Inn. "Most of the asbestos...was in the linoleum and mastic, not in either blown-in asbestos or asbestos panels, and would not have become airborne (unless the building was blown up for demolition.) This is the reason for what looked like an excellent result."

RESPONSE: Professor Goldsmith is mistaken about the asbestos-containing materials at 2615 Ennis being of a different form than those at the Cowtown Inn. The asbestos-containing materials at the Ennis site were:

2,618 square feet of wall texture/joint compound -2% chrysotile

820 square feet of ceiling texture - 2% chrysotile

265 square feet of linoleum flooring - 55% chrysotile

See the Introduction to "Fort Worth Method for Phase 2 Demolitions," page 18, April 1, 2004, revision.
www.fortworthgov.org/dem/FWMPhase2/FWM_draft04012004.pdf

At the Cowtown Inn, Buildings 2, 3, 4, 5, 6, 7, 8 and 9 contain surface texture (1.5% chrysotile) and joint compound (2.5% chrysotile). Buildings 2, 3, and 4 also contain very small quantities of exterior Transite paneling (20% chrysotile). Ceiling tiles and Thermal System Insulation have been identified in Building 1 at the Cowtown Inn, but we have stated repeatedly that Building 1 will not be a part of the Fort Worth Method demonstration. See Section 2.4.2, "Cowtown Inn Asbestos Assessment," of the "Fort Worth Method for Phase 2 Demolitions, April 1, 2004 revision.
www.fortworthgov.org/dem/FWMPhase2/FWM_draft04012004.pdf

Professor Goldsmith is further quoted as saying, "There was a complete ducking of appropriate and affirmative methods to protect workers on the demolition team."

RESPONSE: This is not the case at all. First of all, the City of Fort Worth is seeking a deviation only from the Asbestos NESHAP, an Environmental Protection Agency regulation. The EPA does not regulate worker safety. That task is the responsibility of the Occupational Safety and Health Administration. The City has stated repeatedly in its documents that OSHA regulations will be followed without deviation. We are currently working with OSHA to make certain that all the necessary information on worker safety is included in the final version of the Method. The specific requirements for demolition worker safety are spelled out in Chapter 4, Demolition, of the "Fort Worth Method for Phase 2 Demolitions, April 1, 2004 revision. These include:
www.fortworthgov.org/dem/FWMPhase2/FWM_draft04012004.pdf

4.1.3 Worker Protection

4.1.3.1 Worker Protection During Demolition Activities

Demolition activities will comply with all applicable Occupational Safety and Health Administration (OSHA) regulations for worker protection including but not limited to 29 CFR 1910, which is the asbestos standard for general industry, and 29 CFR 1926, which is the asbestos standard for the construction industry (both standards set a maximum exposure limit and include provisions for engineering controls and respirators, protective clothing, exposure monitoring, hygiene facilities and practices, warning signs, labeling, record keeping, and medical exams). OSHA standards are to be followed without deviation.

Demolition contractors hired by the City of Fort Worth to conduct demolitions utilizing the "Fort Worth Method" are independent contractors. City employees will not perform demolition activities. The demolition contractors will be required to provide the City with a copy of their corporate safety and health program and site-specific safety and health plans. These documents will include a written respiratory protection program to be maintained and adhered to during demolition activities, and a description of the protective clothing and respirators which will be used.

During Phase 2 demolitions, all contractor personnel involved in the demolition will be required to be 40-hour HAZWOPER trained. Demolition contractors will be required to appropriately train their personnel prior to commencing demolition activities. The training shall thoroughly cover the names of personnel and alternates responsible for site safety and health; safety, health and other hazards present on the site; use of personal protective equipment; work practices by which the employee can minimize risks from hazards; safe use of engineering controls and equipment on the site; medical surveillance requirements, including recognition of symptoms and signs which might indicate overexposure to hazards; and the contents of the site safety and health plan. Demolition contractors shall supply their employees with adequate personal protective equipment (PPE), and supervise their compliance with the use of such equipment. PPE selection shall be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

Demolition contractors will be required to provide a NESHAP-trained individual to oversee the demolition process.

During Phase 2 of the project, the City will separately contract with a TDH-licensed asbestos consultant to provide third-party oversight of the demolition process. The consultant will have a certified industrial hygienist (CIH) on staff who will actively participate in the development of the Quality Assurance Project Plan (QAPP), work methods, etc. This third-party oversight will not be required following a determination by the EPA and TDH that the Fort Worth Method is equivalent, for the purpose of proceeding to Phase 3.

4.1.3.2 Worker Protection During Transportation

Transportation of asbestos-containing waste from the demolition site will be conducted by a TDH-licensed asbestos transporter. The transporter shall comply with federal regulations in 49 CFR, Parts 100-199 titled "Hazardous Materials Regulations;" 40 CFR, Part 61, specifically the provision concerning asbestos transport; and where applicable, 40 CFR, Part 763, Subpart E, Appendix D, titled "Transport and Disposal of Asbestos Waste." Further, the transporter shall qualify all employees who will be transporting, loading, and unloading asbestos, in accordance with 40 CFR Parts 171-177; train and supply employees who will handle asbestos with PPE and supervise their compliance; and train employees in compliance with OSHA regulations in 29 CFR §1910.120(a)(1)(v) or 49 CFR 172 Subpart H, as applicable, in anticipation of possible spills of asbestos.

4.3.1 Demolition Contractors

Demolition activities will be conducted by independent contractors, not City of Fort Worth employees.

Demolition contractors will have daily safety meetings prior to work commencement to ensure safe demolition of the structure(s).

4.3.3.2 Transportation

End-dump trailers (or other vehicles) used to transport asbestos-containing waste material will be covered with a tarp, and marked during the loading and unloading of waste so that the signs are visible. The markings will be displayed in such a manner and location that a person can easily read the legend, they will conform to the size, font, spacing, and other visibility requirements of 29 CFR 1910.145(d)(4) and 40 CFR 61.149(d)(1), and will state:

DANGER
ASBESTOS DUST HAZARD
CANCER AND LUNG DISEASE HAZARD
Authorized Personnel Only

Transportation will be immediate and by a direct route, utilizing hazardous cargo routes when possible. The waste material in the trailers will be wetted prior to tarping. From prior experience using wet demolition on structures in danger of imminent collapse, the City knows that water runoff off the trailers from this material will be de minimis.

Transportation of asbestos-containing waste from the demolition site will be conducted by a TDH-licensed asbestos transporter. The transporter shall comply with federal regulations in 49 CFR, Parts 100-199 titled "Hazardous Materials Regulations;" 40 CFR, Part 61, specifically the provision concerning asbestos transport; and where applicable, 40 CFR, Part 763, Subpart E, Appendix D, titled "Transport and Disposal of Asbestos Waste." Further, the transporter shall qualify all employees who will be transporting, loading, and unloading asbestos, in accordance with 40 CFR Parts 171-177; train and supply employees who will handle asbestos with personal protective equipment and supervise their compliance; and train employees in compliance with OSHA regulations in 29 CFR §1910.120(a)(1)(v) or 49 CFR 172 Subpart H, as applicable, in anticipation of possible spills of asbestos. The waste will be transported to a municipal solid waste landfill facility licensed to accept such materials. . . .

FORT WORTH

Cowtown Inn Demolition

Fort Worth, Texas **June 2004**

How will the Cowtown Inn be demolished?

Before the demolition of the Cowtown Inn is allowed to take place, documents detailing the procedures to be followed during the demolition will be reviewed by a panel of outside experts selected by a contractor hired by the EPA.

Here's What to Expect:

- Demolition of the Cowtown Inn is scheduled for July. It should take 3-4 weeks.
- Vehicles will enter the site from Church Street (north end of the property). The entrance will clearly marked with DO NOT ENTER and HARD HAT AREA signage. Additionally, this signage will be placed along the perimeter fence as well.
- A flag man will be placed at the entrance to accommodate traffic both to and from the site as well as along Church Street.
- After work hours, the site will be secured with a chain across the entrance and existing fence. Barricades equipped with blinking lights will be placed in front of the entrance.

Here Are the Details:

- The City has proposed that regulated asbestos-containing material will be removed from Buildings 4 and 7 using the NESHAP method, and then those buildings will be demolished.
- The City has proposed that buildings 2, 3, 5, 6, 8 and 9 will be then be demolished using the "Fort Worth Method."
- The EPA has not yet approved which buildings will be demolished under this demonstration.
- Demolishing some buildings using NESHAP and some buildings using the "Fort Worth Method" will allow a side-by-side comparison of the two methods.
- Building 1 (the building fronting E. Lancaster) will not be a part of this demonstration of the "Fort Worth Method." The City will provide for the removal of regulated asbestos-containing materials and demolition of that building separately.
- No redevelopment plans for the site have been made.

What is the "Fort Worth Method"?

- The "Fort Worth Method" is not yet an official EPA method. The method is still in the demonstration phase and the demolition of the Cowtown Inn is a data gathering effort.
- The "Fort Worth Method" is a way of demolishing substandard nuisance structures that will eventually save the City and its taxpayers 40-60 percent of demolition costs.
- It is very similar to the way substandard structures that are in danger of imminent collapse have been demolished for years.
- Asbestos-containing materials (except specific types in certain amounts) are left in place in the buildings.

- The structure is wetted before and during demolition and during loading of demolition debris. Fire hoses with variable rate nozzles set to a fine mist will control dust so that asbestos fibers will not become airborne.

- Demolition debris will be placed into trucks, tarped, and disposed of at an approved landfill.

- During demolition of the Cowtown Inn, an extensive air monitoring system will be in place to monitor for concentrations of airborne asbestos fibers. A clean-up plan will be implemented in the event that a significant release occurs.

What is the NESHAP method?

It's the traditional way

- NESHAP stands for National Emission Standards for Hazardous Air Pollutants. It is an EPA regulation.

- The NESHAP for asbestos requires that asbestos-containing materials in excess of certain amounts be removed from a structure before it is demolished (unless it is in danger of imminent collapse). This is the traditional method.

  * Asbestos-containing materials are removed under full containment so that asbestos fibers are not released into the environment.

  * Asbestos-containing materials must be kept adequately wet and sealed in leak-tight containers or wrapping.

  * Asbestos-containing materials must be disposed of as soon as practicable at an approved waste disposal site.

What is asbestos?

It's a natural mineral

- Asbestos has been mined for use in a wide range of manufactured products, mostly in building materials, friction products, and heat-resistant fabrics.

- Asbestos is the name given to a group of six different fibrous minerals that occur naturally in the environment. These minerals are amosite, chrysotile, crocidolite, and the fibrous varieties of tremolite, actinolite, and anthophyllite. Chrysotile, belongs to the serpentine family of minerals, while all of the others belong to the amphibole family.

- All forms of asbestos are hazardous, and all can cause cancer, but amphibole forms of asbestos are considered to be somewhat more hazardous to health than chrysotile.

- Chrysotile, also known as "white asbestos," is the predominant commercial form of asbestos. Amphiboles are of minor commercial importance. Asbestos fibers do not have any detectable odor or taste. They do not dissolve in water or evaporate. They are resistant to heat, fire, chemical and biological degradation.

Source: Public Health Statement for Asbestos (Sept. 2001)
Agency for Toxic Substances and Disease Registry (ATSDR)

How can asbestos affect my health?

Researchers have not determined a safe level of exposure to asbestos, but we know the greater and longer the exposure, the greater the risk of contracting an asbestos-related disease.

Asbestos-Related Diseases

- Breathing asbestos fibers may result in scarring of the pleura or lung tissue. Scarring of pleura known as pleural fibrosis or pleural plaques takes several years to develop. It my also result in fluid in pleural space known as pleural effusion or pleurisy.

- These plaques are quite common in people occupationally exposed to asbestos and are sometimes found in people living in areas with high environmental levels of asbestos.
- Effects on breathing from pleural plaques alone are usually not serious.

Asbestosis Disease

- Breathing high levels of asbestos fibers for a long time may result in scar-like tissue in the lungs and in the lining that surrounds the lung. This disease is called asbestosis.
- Asbestosis is usually found in workers exposed to asbestos, but not in the general public.
- People with asbestosis have difficulty breathing, often a cough, and in severe cases heart enlargement. Asbestosis is a serious disease and can eventually lead to disability and death.

Lung Cancer

- Breathing asbestos can increase the risk of cancer in people. There are two types of cancer caused by exposure to asbestos: lung cancer and mesothelioma.
- Exposure to asbestos increases the risk of lung cancer and may take 20+ years to develop.
- Mesothelioma is a cancer of the thin lining surrounding the lung or abdominal cavity. Mesothelioma takes several decades to develop.
- Smoking cigarettes and inhaling asbestos together significantly increases your chances of getting lung cancer.

Sources:

U.S. EPA: "Benchmarks, Standards and Guidelines Established to Protect Public Health"
ATSDR: "Public Health Statement for Asbestos," September 2001
ATSDR ToxFAQs™ for Asbestos

How can I be exposed to asbestos?

By Inhaling It

Everyone is exposed to low levels of asbestos in the air we breathe. Levels are generally higher in cities and industrial areas.

Working With It

People working in industries that make or use asbestos products or who mine asbestos may be exposed to high levels of asbestos. People living near these industries may also be exposed to high levels of asbestos in air.

Disturbing It

Asbestos fibers may be released into the air by the disturbance of asbestos-containing material during product use, demolition work, building or home maintenance, repair, and remodeling. In general, exposure may occur only when the asbestos-containing material is disturbed in some way to release particles and fibers into the air.

Drinking It

Drinking water may contain asbestos from natural sources or from asbestos-containing cement pipes. This is not a concern with Fort Worth's drinking water.

Source: ATSDR ToxFAQs™ for Asbestos

FYI

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 26 2004

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

Gary W. Jackson, City Manager
City Manager's Office
The City of Fort Worth
1000 Throckmorton Street
Ft. Worth, TX 76102

Dear Mr. Jackson:

I am writing in response to your request on January 20, 2004, for the Office of the Enforcement and Compliance Assurance to exercise its enforcement discretion in regards to the City's pilot program testing the Fort Worth Method (the "Method") of asbestos abatement in building demolition. After our review and approval of the project plans and peer review results, and completion of the stakeholder review process, we are prepared to issue a formal enforcement discretion letter for this pilot project.

Under the City's method, as currently proposed, a structure is thoroughly wetted prior to and during demolition and some, but not all, of the asbestos containing material is removed. The goal of this pilot project is to determine whether the use of this method is at least as protective as the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP). The first phase of this pilot project, Phase 1, provided initial data sufficient to warrant further investigation into the Method. The next phase, Phase 2, will be demolition of buildings that are subject to the requirements of the NESHAP, and are intended to gather further information regarding the Method's equivalency to the NESHAP.

We agree that this pilot project should move forward. EPA will assist the City in revising its Method document and Quality Assurance Project Plan (QAPP) to ensure that the work performed during Phase 2 will be protective of public health and the environment during its implementation. The Method document and QAPP will be peer reviewed under the Agency's Peer Review Policy. The peer review process will be facilitated through the EPA's Office of Research and Development. It is also our understanding that the City will create and implement a remediation plan for the Phase 2 demolition. Furthermore, the City has committed to lead, along with EPA Region 6, a stakeholder process to make sure the public, especially residents, are aware of the nature of the pilot demolitions.

Given the activities planned to ensure that implementation of Phase 2 is protective, we intend and are committed to issuing an enforcement discretion, or another enforcement tool, to facilitate the implementation of the Phase 2 demolition. Once the Method, QAPP and remediation plan are completed and approved by EPA, and the stakeholder meetings held, we are prepared to issue a final enforcement discretion letter. We commit to closely work with the City and other EPA offices to ensure timely achievement of our plans as we move forward with this pilot program. We very much appreciate the steps the City has taken, and will take over the coming months, to ensure that the project is conducted in a scientifically sound and safe manner.

If you have any questions, please call Adam Kushner at (202) 564-7979. Again, I would like to reemphasis our commitment to seeing this pilot program move forward in a manner that ensures the protection of public health and the environment.

Sincerely,

John Peter Suarez

cc: Honorable Mike Moncreif, Mayor, City of Ft. Worth
Richard E. Greene, Regional Administrator